

NO. 23152

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee

vs.

GILBERT PACHECO, Defendant-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT
(CR. NO. 99-1475)

ORDER DISMISSING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama,
Ramil, and Acoba, JJ.)

Upon consideration of the motion for reconsideration, filed on June 18, 2001 by the Office of the Public Defender pursuant to Hawaii Rules of Appellate Procedure (HRAP) Rule 40 (2000), urging this court to review its published opinion, filed on June 4, 2001 and amended on June 6, 2001, it appears, after full consideration of the record on appeal, that the Office of the Public Defender neither represents a party to this appeal nor is itself a party to this appeal and, therefore, lacks standing to move for reconsideration. See HRAP Rule 40(a) (“[a] motion for reconsideration may be filed by a party”) (emphasis added); HRAP Rule 40(e) (“[o]nly one motion for reconsideration may be filed by any party”) (emphasis added). Therefore, the motion for reconsideration is hereby dismissed.

DATED: Honolulu, Hawaii, July 24, 2001.

Deborah L. Kim (Deputy
Public Defender), on
the motion